

Amy Sommer Anderson #282634
AROPLEX LAW
156 2nd Street, Floor 1
San Francisco, CA 94105
Phone: 415-529-5148
Facsimile: 415-970-5016
Email: Anderson@aroplex.com

Attorney for
POWER VENTURES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC.,

Plaintiff,

v.

POWER VENTURES, INC. and STEVEN
VACHANI,

Defendants.

Case No. 5:08-cv-05780-LHK

**EX PARTE APPLICATION FOR
EXTENSION OF TIME TO RESPOND TO
PLAINTIFF'S BILL OF COSTS, MOTION
FOR ATTORNEY FEES, AND MOTION
FOR CONTEMPT**

Defendant POWER VENTURES, INC. hereby applies for an order extending the time in which the defendants may file responses to three filings submitted contemporaneously by Plaintiff FACEBOOK, INC. on May 16, 2017: Bill of Costs (Dk. No. 444); Motion for Attorney Fees (Dk. No. 446); and Motion for Contempt (Dk. No. 447). Defendant requests a brief extension of two days to allow the defendants to coordinate and finalize their responses to these three consequential filings.

1 This Application is based on this *Ex Parte* Application, the accompanying declaration of
2 Amy Sommer Anderson, the Memorandum of Points and Authorities submitted herein, and the
3 pleadings and papers on file in this action.
4

5 Respectfully,

6 DATED: 5/30/2017

AROPLEX LAW

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8 By: /s/
9 Amy Sommer Anderson,
10 Attorney for
11 POWER VENTURES, INC.
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A California Law Practice

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT’S
APPLICATION FOR EXTENSION OF TIME TO FILE RESPONSES**

Defendant POWER VENTURES, INC. (“Power”) hereby requests an order extending the time in which the defendants may file responses to three filings submitted contemporaneously by Plaintiff FACEBOOK, INC. on May 16, 2017: Bill of Costs (Dk. No. 444); Motion for Attorney Fees (Dk. No. 446); and Motion for Contempt (Dk. No. 447). Power seeks only a small amount of additional time—two additional days—to enable the defendants to coordinate and finalize their thorough responses to Plaintiff’s three consequential filings.

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), the Court may grant this request based on Power’s Application without a motion or notice. In compliance with Local Rule 6-3(a), Power’s Application is filed with and supported by the Declaration of Amy Sommer Anderson attesting to the following facts.

Power’s requirement of this small amount of additional time is due to a combination of the volume of work necessary to thoroughly respond to each of Plaintiff’s three contemporaneous objectionable filings, an uncharacteristic and prohibitively burdensome workload on the part of the Power’s counsel, and a lack of available resources over the long Memorial Day holiday weekend.

Power has not sought and would be unable to obtain, in all likelihood, a stipulation for an extension of time from the plaintiff, as the need for extension was not realized until long after business hours when the defendants discovered that, despite working diligently through the evening, they required additional time to coordinate, review, and complete their joint filings.

Judgment in this action was entered by the Court on May 2, 2017 (Dk. No. 437), and there are no pending matters before the Court other than the three filings at issue. As such, a brief extension of time to enable the defendants to file thorough responses to the sole remaining issues has no effect on the case, which is now closed. Denying Power’s requested extension, however,

There have been no previous extensions of time sought or obtained by the defendants or granted by the Court.

Respectfully,

AROPLEX LAW

Case No. 5:08-cv-05780-LHK

CERTIFICATE OF SERVICE

I hereby certify that this document has been or will be filed through the ECF system, and notice will be sent via the following method:

X ECF System: By filing the within document on the Court's Electronic Case Filing System, I am informed and believe that the documents will be electronically served on all individuals registered with such system. To my knowledge, every individual to whom notice is required is registered with this system and, thus, has been served with due notice by action of this electronic filing.

I declare under penalty of perjury under the laws of the State of California that the above statements are true and correct.

Executed 5/30/2017 at San Francisco, California.

/s/ AMY SOMMER ANDERSON

Amy Sommer Anderson

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